

SECOND REGULAR SESSION

# SENATE BILL NO. 768

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time January 13, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

3134S.03I

## AN ACT

To repeal sections 167.151 and 168.151, RSMo, and to enact in lieu thereof two new sections relating to payment of tuition for certain nonresident students in certain school districts, with penalty provisions for a certain section.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 167.151 and 168.151, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 167.151 and 168.151, to read as follows:

167.151. 1. The school board of any district, in its discretion, may admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as provided in sections 167.121 and 167.131. **The school board of any district may, in its discretion, allow the children of teachers or regular employees of the district not otherwise entitled to free instruction in the district to attend school in the district and may prescribe the tuition fee, if any, to be paid by them irrespective of whether the district admits other pupils not entitled to free instruction in the district.**

2. Orphan children, children with only one parent living, and children whose parents do not contribute to their support--if the children are between the ages of six and twenty years and are unable to pay tuition--may attend the schools of any district in the state in which they have a permanent or temporary home without paying a tuition fee.

3. Any person who pays a school tax in any other district than that in which he resides may send his children to any public school in the district in which the tax is paid and receive as a credit on the amount charged for tuition

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 the amount of the school tax paid to the district; except that any person who owns  
19 real estate of which eighty acres or more are used for agricultural purposes and  
20 upon which his residence is situated may send his children to public school in any  
21 school district in which a part of such real estate, contiguous to that upon which  
22 his residence is situated, lies and shall not be charged tuition therefor; so long  
23 as thirty-five percent of the real estate is located in the school district of  
24 choice. The school district of choice shall count the children in its average daily  
25 attendance for the purpose of distribution of state aid through the foundation  
26 formula.

27 4. Any owner of agricultural land who, pursuant to subsection 3 of this  
28 section, has the option of sending his children to the public schools of more than  
29 one district shall exercise such option as provided in this subsection. Such person  
30 shall send written notice to all school districts involved specifying to which school  
31 district his children will attend by June thirtieth in which such a school year  
32 begins. If notification is not received, such children shall attend the school in  
33 which the majority of his property lies. Such person shall not send any of his  
34 children to the public schools of any district other than the one to which he has  
35 sent notice pursuant to this subsection in that school year or in which the  
36 majority of his property lies without paying tuition to such school district.

37 [5. If a pupil is attending school in a district other than the district of  
38 residence and the pupil's parent is teaching in the school district or is a regular  
39 employee of the school district which the pupil is attending, then the district in  
40 which the pupil attends school shall allow the pupil to attend school upon  
41 payment of tuition in the same manner in which the district allows other pupils  
42 not entitled to free instruction to attend school in the district. The provisions of  
43 this subsection shall apply only to pupils attending school in a district which has  
44 an enrollment in excess of thirteen thousand pupils and not in excess of fifteen  
45 thousand pupils and which district is located in a county of the first classification  
46 with a charter form of government which has a population in excess of six  
47 hundred thousand persons and not in excess of nine hundred thousand persons.]

168.151. **Except as provided in section 167.151**, it is unlawful for any  
2 school board or any member or employee of a school board to solicit or to receive  
3 any money from any teacher employed by their district for the purpose of paying  
4 [tuition or any other] expenses of the operation of schools. It is unlawful for any  
5 teacher to contribute or to agree to contribute any portion of his salary to his  
6 school board, or any member, or employee thereof, for the purposes stated

7 above. Any person who violates the provisions of this section is guilty of a  
8 misdemeanor and, upon conviction, shall be punished by a fine of not to exceed  
9 one thousand dollars or by imprisonment for not more than one year or by both  
10 fine and imprisonment.

✓

Unofficial

Bill

Copy